



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

Ref: 8ENF-L

April 8, 2011

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Hecla Mining Company  
c/o Phillips S. Baker, Jr., President and CEO  
6500 North Mineral Drive, Suite 200  
Coeur d' Alene, Idaho 83815-9408

Re: Request For Information  
Gilt Edge Mine Site, Lawrence County, South Dakota

Dear Mr. Baker:

This letter seeks your cooperation in providing information and documents relating to the Gilt Edge Mine Site located approximately 4.5 miles southeast of the town of Lead in the northern Black Hills of Lawrence County, South Dakota (Site). The United States Environmental Protection Agency (EPA) is writing this letter to you because it has information that indicates that CoCa Mines, Inc., a subsidiary of Hecla Mining Company, may have owned and/or operated portions of property comprising the Site. EPA is currently investigating the nature and extent of contamination and past operations at the Site.

Pursuant to the authority of Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604, as amended, you are hereby requested to respond to the Information Request set forth in Enclosure 1, attached hereto. EPA seeks your voluntary cooperation in this investigation. Your compliance with the Information Request is appreciated and is required by law. Please provide a complete and truthful response to this Information Request within thirty (30) days of your receipt of this letter. Section 104 of CERCLA, 42 U.S.C. Section 9604, authorizes EPA to pursue penalties for failure to meet that deadline or failure to respond adequately. In addition, providing false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. §§ 3501, et seq.

Your response to this request must be accompanied by a notarized certificate that is signed and dated by the person who is authorized by you to respond to this request. The notarized certificate must state that the response submitted to EPA is complete and contains all documents and information responsive to this request that are known to you following a complete and thorough review of all information and sources available to you. A suggested format for the notarized certificate is included with this request as Enclosure 2.

Your response to this Information Request should be mailed to:

Sharon Abendschan  
U.S. EPA Region 8  
Technical Enforcement Program, 8ENF-RC  
1595 Wynkoop Street  
Denver, Colorado 80202

If you have any questions relating to this Information Request, please contact Andrea Madigan, EPA Enforcement Attorney, at (303) 312-6904. Thank you for your cooperation in this matter.

Sincerely,



Kelcey Land, Director  
Technical Enforcement Program,  
Office of Enforcement, Compliance,  
And Environmental Justice



Matthew Cohn, Supervisory Attorney  
Legal Enforcement Program,  
Office of Enforcement, Compliance,  
And Environmental Justice

Enclosures  
cc: Joseph G. Middleton, Esquire

## **ENCLOSURE 1**

### **GILT EDGE MINE SITE INFORMATION REQUEST**

Hecla Mining Company

#### **Instructions**

1. Please provide a separate narrative response to each and every Question and subpart of a Question set forth in this Information Request.
2. Precede each answer with the number of the Question to which it corresponds.
3. If information or documents not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find, at any time after the submission of your response, that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide EPA with a corrected response.
4. For each document produced in response to this Information Request indicate on the document, or in some other reasonable manner, the number of the Question to which it corresponds.
5. The information requested herein must be provided even though the Respondent may contend that it includes possibly confidential information or trade secrets. You may, if you desire, assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 USC 9604(e)(7)(E) and F, Section 3007(b) of RCRA, 42 USC 6927(b), and 40 CFR 2.203(b), by attaching to such information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," or "proprietary" or "company confidential." Information covered by such a claim will be disclosed by EPA only to the extent, and only by means of the procedures set forth in 40 CFR Part 2, 41 Fed. Reg. 36,902 (1976) (amended at 43 Fed. Reg. 40,000 (1978), and 50 Fed. Reg. 51,661 (1985)). If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you. You should read the above cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.

## Definitions

The following definitions shall apply to the following words as they appear in this Enclosure 1:

1. "Hecla Mining Company" or "Respondent" shall mean Hecla Mining Company, a Delaware corporation, and any predecessors, successors, parent companies, and subsidiary companies.
2. "CoCa Mines" shall mean CoCa Mines, Inc., a Colorado corporation.
3. The terms "document" and "documents" shall mean any written, recorded, or visually or aurally reproduced material of any kind in any medium in your possession, custody, or control or known by you to exist, including originals, all prior drafts, and all non-identical copies.
4. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, 42 U.S.C. §§ 9601 et seq. or its regulations found at 40 CFR Part 300 in which case the statutory or regulatory definitions shall apply.

## QUESTIONS

1. Identify the person(s) answering these Questions on behalf of Respondent.
2. For each and every Question contained herein, identify all persons consulted in the preparation of the answer.
3. For each and every Question contained herein, identify documents consulted, examined, or referred to in the preparation of the answer or that contain information responsive to the Question and provide accurate copies of all such documents.
4. Has Respondent or any affiliated entity including, without limitation, Hecla Limited made any insurance claims under policies issued to CoCa Mines? If so, please provide copies of all documents including correspondence with insurers and insurance policies relating to these claims.
5. Has Respondent or any affiliated entity including, without limitation, Hecla Limited made any insurance claims under policies issued to Congdon and Carey Ltd 5? If so, please provide copies of all documents including correspondence with insurers and insurance policies relating to these claims.
6. Describe the corporate histories of Hecla Mining Company, Helca Limited, and CoCa Mines. Provide copies of all documents relating to Respondent's acquisition of CoCa Mines including without limitation all contracts, agreements, assignments, deeds, bills of sale,

corporate resolutions, and meeting minutes of Respondent's board of directors, executive committee, finance committee, management committee and all other committees or management meetings.

7. Identify all transfers of any asset or liability among Hecla Mining Company, Hecla Limited, and CoCa Mines including the date and purpose of each such transfer and a description of the asset and/or liability involved. Provide copies of all documents regarding such assignments or transfers.

8. Identify all transfers of any asset or liability among Hecla Mining Company, Hecla Limited, and Congdon and Carey Ltd 5 including the date and purpose of each such transfer and a description of the asset and/or liability involved. Provide copies of all documents regarding such assignments or transfers.

9. Provide copies of all documents regarding the assumption of the liabilities either express or implied, of CoCa Mines.

10. Identify any and all liabilities of CoCa Mines that were resolved by Hecla Mining Company or Hecla Limited. Provide all documents regarding such resolution.

11. Provide copies of all documents regarding the assumption of the liabilities either express or implied, of Congdon and Carey Ltd 5.

12. Identify any and all liabilities of Congdon and Carey Ltd 5 that were resolved by Hecla Mining Company or Hecla Limited. Provide all documents regarding such resolution.

13. Provide copies of all documents relating to the transfer of the Grouse Creek Mine in Custer County, Idaho, from CoCa Mines to Hecla Mining Company including, without limitation, all contracts, agreements, assignments, certificates of merger, deeds, bills of sale, settlement sheets, title insurance, corporate resolutions, and meeting minutes of Respondent's board of directors, executive committee, finance committee, management committee and all other committees or management meetings.

14. Describe the consideration or other compensation given to CoCa Mines in exchange for the transfer of the Grouse Creek Mine to Hecla Mining Company. Provide copies of all documents evidencing such transfer.

NOTARIZED CERTIFICATE

I, \_\_\_\_\_, having been duly sworn and being of legal age, hereby state:

1. I am the person authorized by \_\_\_\_\_ to respond to the Environmental Protection Agency's (EPA's) request for information concerning the Gilt Edge Mine Site in Lawrence County, South Dakota.

2. I have made a complete and thorough review of all documents, information, and sources relevant to the request.

3. I hereby certify that the attached response to EPA's request is complete and contains all information and documents responsive to the request.

(SEAL)

\_\_\_\_\_  
(Signature) (Name, Title)  
Subscribed and sworn to me  
this \_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Notary Public  
My Commission Expires:  
My address is:



Printed on Recycled  
Paper

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Hecla Mining Company  
c/o Phillips S. Baker, Jr., President and CEO  
6500 North Mineral Drive, Suite 200  
Coeur d' Alene, Idaho 83815-9408

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

x *Kate Wempner*☐ Agent☐ Addressee

B. Received by (Printed Name)

*Kate Wempner*

C. Date of Delivery

*4-12-11*D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

APR 8 2011

Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes2. Article Number  
(Transfer from service label)

7009 3410 0000 2593 0690

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service <sup>TM</sup>CERTIFIED MAIL <sup>TM</sup> RECEIPT

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Hecla Mining Company

c/o Phillips S. Baker, Jr., President and CEO

6500 North Mineral Drive, Suite 200

Coeur d' Alene, Idaho 83815-9408

PS Form 3800, August 2006

See Reverse for Instructions

0690 2593 0000 3410 7009